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AN ORDINANCE amending Article XI. Ordinance Violations Bureau, Sec. 2-113. Schedules of penalties., of the Fort Wayne City Code.

WHEREAS, the City of Fort Wayne, by General Ordinance number G-30-88, did create the Fort Wayne Violations Bureau and established a schedule of ordinance violations that are subject to admission before the Violations Clerk;

WHEREAS, the City of Fort Wayne, by General Ordinance number G-11-92, did amend Chapter 17 of the Municipal Code of the City of Fort Wayne by adding new Article XV, titled "Prohibition of Open Alcoholic Beverage Containers Within the City Limits of Fort Wayne."

WHEREAS, the City of Fort Wayne desires to have the Violations Clerk collect any and all fines resulting from first offenses of carrying open alcoholic beverage containers in motor vehicles.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Article XI. Sec. 2-113 be amended to include:

<u>Nature of Violation</u>	<u>Code Section</u>	<u>Civil Penalty</u>
Possession or Consumption	17-126.(a) 17-126.(b)	\$50.00 (for first offense)
Operator or Owner of Motor Vehicle in Violation	17-127.(a) 17-127.(b)	\$50.00 (for first offense)

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Clinton R. Edmond  
Council Member

APPROVED AS TO FORM  
AND LEGALITY

J. Timothy McCaulay  
J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Edmonds,  
seconded by  , and duly adopted, read the second time by  
title and referred to the Committee on Legislation (and the  
City Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Common Council Conference Room 128, City-County  
Building, Fort Wayne, Indiana, on   the   day  
of  , 19 , at   o'clock PM, E.S.T.

DATED: 4-28-92

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Edmonds,  
seconded by  , and duly adopted, placed on its passage.  
PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
<u>TOTAL VOTES</u>	<u>9</u>	<u> </u>	<u> </u>	<u> </u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>EDMONDS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>LONG</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>LUNSEY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>RAVINE</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

DATED: 5-26-92

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 5-21-92  
on the 26th day of May, 1992.

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Thomas P. Kennedy  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 28th day of May, 1992,  
at the hour of 3:00 o'clock PM, E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29th day of May,  
1992, at the hour of 11:45 o'clock AM, E.S.T.

P. Helmke  
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE GENERAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE LAW DEPARTMENT

SYNOPSIS OF ORDINANCE VIOLATIONS BUREAU AUTHORIZED TO COLLECT FINES FOR VIOLATIONS OF ARTICLE XV "PROHIBITION OF OPEN ALCOHOLIC BEVERAGE CONTAINERS WITHIN THE CITY LIMITS OF FORT WAYNE."

12-92-04-35

EFFECT OF PASSAGE OPEN ALCOHOLIC BEVERAGE CONTAINER VIOLATIONS CAN BE COLLECTED WITHOUT COURT SUMMONS AND FORMAL LEGAL PROCEEDING WHEN VIOLATION ADMITTED.

EFFECT OF NON-PASSAGE OPEN ALCOHILIC BEVERAGE CONTAINER VIOLATIONS CANNOT BE COLLECTED WITHOUT FILING OF CASE IN ALLEN COUNTY TRAFFIC AND MISDEMEANOR COURT.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \_\_\_\_\_

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_

BILL NO. G-92-04-35

REPORT OF THE COMMITTEE ON  
REGULATIONS

CLETUS R. EDMONDS, CHAIR  
MARK E. GIAQUINTA, VICE CHAIR  
RAVINE, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (RESOLUTION) amending Article XI.  
Ordinance Violations Bureau, Sec. 2-113. Schedules of  
penalties., of the Fort Wayne City Code

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Cletus R. Edmonds  
Mark E. GiaQuinta  
Ravine, Schmidt

DATED: 5-26-92

Sandra E. Kennedy  
City Clerk